

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

DON PEDERSON, Individually And On Behalf
Of All Others Similarly Situated,

Plaintiff,

v.

PENWEST PHARMACEUTICALS CO.,
KEVIN C. TANG, PETER F. DRAKE, JOSEPH
E. EDELMAN, JOHN G. LEMKEY, DAVID P.
MEEKER, ANNE M. VANLENT, RODERICK
WONG, SAIID ZARRABIAN, ENDO
PHARMACEUTICALS HOLDINGS, INC.,
AND WEST ACQUISITION CORP.

Defendants.

Case Number 10 Civ. 6429 (JSR)

NOTICE OF DISMISSAL

Notice is hereby given that pursuant to Rule 41(a)(1)(A) of the Federal Rules of Civil Procedure, Plaintiff Don Pederson voluntarily dismisses with prejudice the above-titled action against Defendants Penwest Pharmaceuticals Co., Kevin C. Tang, Peter F. Drake, Joseph E. Edelman, John G. Lemkey, David P. Meeker, Anne M. Vanlent, Roderick Wong, Saiid Zarrabian, Endo Pharmaceuticals Holdings, Inc., And West Acquisition Corp. (collectively "Defendants"). This notice of dismissal is being filed with the Court before service by Defendants of either an answer or a motion for summary judgment.

Dated: July 6, 2011

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By: /s/ Shane T. Rowley

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